

REMARKS

Entry of the foregoing preliminary amendment prior to substantive examination of the present application is respectfully requested.

In a final Office Action mailed July 6, 2001 (Paper 7) of the parent application (09/597,184) filed 20 June 2000, Examiner Patterson relied upon Drake (US Patent No. 5,521,248) to reject all the pending claims, Claims 1-10 and 14-20, under 35 U.S.C. §103. These claims were directed to a weatherseal product. All the previously pending claims have been cancelled in favor of newly added Claims 63-97. The newly added claims are also directed to a product, an automobile weatherseal.

As stated in the description of Drake, Examiner Patterson asserts "Drake et. al. disclose a bonding veneer for bonding a *cured* elastomer to a metal substrate." [emphasis added] (09/597,184, Paper 7, page 3)

In contrast, the present claims recite in part "an *uncured* peroxide curable rubber layer on the metal reinforcement, ... and ... an *uncured* sulfur curable rubber layer on the uncured peroxide curable rubber layer;" [emphasis added] (Claims 63-73); "an *uncured* peroxide curable bonding veneer bonded to at least a portion of the metal reinforcement; and ... an *uncured* sulfur curable rubber layer on the uncured peroxide curable bonding veneer." [emphasis added] (Claims 74-85); and "an *uncured* peroxide curable bonding veneer bonded to at least a portion of the metal reinforcement; and ... an *uncured* non-peroxide cross linkable elastomer layer on at least a portion of the uncured peroxide curable bonding veneer." [emphasis added] (Claims 86-97)

The present claims are expressly contrary to Drake. That is, the present claims contemplate the (peroxide curable) bonding veneer and the overlaying (sulfur curable) layer to be simultaneously in an uncured state. In Drake, only the adhesive is initially uncured. Col. 5, lines 48-55, and Col. 6, lines 46-53:

The compositions of this invention are used in a method for adhesively bonding together substrates such as other elastomers, metals, plastics, glass, fibers, paper and fabrics, 30 or for bonding the elastomer itself to a substrate. In use, the adhesive elastomers of this invention are flowed onto the substrates to be bonded, and cured in-situ whereby the substrates are bonded together, or the elastomer may be bonded to only one substrate. 35

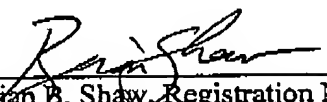
40 The flowable mixture is then applied to a substrate, such as a plastic or metal automobile part, a further substrate whose bonding to the first substrate is desired is then placed in contact with the flowable mixture, and the mixture is 45 cured in situ, resulting in a strong bond between the substrates. Preferably the bond is at least as strong under stress conditions such as tearing and pulling, as the substrates themselves.

These sections of Drake require that the substrates to be adhered are cured prior to contact with and use of the Drake adhesive composition. That is, if the Drake adhesive were to bond itself to a substrate, (Col. 5, lines 48-52) either a cured sheet of the elastomer would be adhered by curing an intermediate layer of uncured adhesive, or merely a single layer of uncured adhesive would be cured. It would be nonsensical to construe curing a single adhesive layer of Drake as curing the adhesive layer and bonding a contiguous adhesive layer of the adhesive material. That is, Drake bonds a previously cured sheet through the curing of the adhesive, or merely bonds an uncured layer of the adhesive by curing the layer of adhesive.

Further, Drake does not disclose or suggest the present relation between the cure system of the bonding layer (the present peroxide cured layer) and the overlying feature layer (the sulfur cured layer). Not only is there is no suggestion to employ the present different cure mechanisms in different layers, but Drake does not disclose or suggest the uncured peroxide curable layer and the uncured sulfur curable layer.

Therefore, applicant respectfully submits all the pending claims, Claims 63-97 are in condition for allowance. If, however, Examiner Patterson feels that any further issues remain he is cordially invited to contact the undersigned so that such matters may be promptly resolved.

Respectfully submitted,

  
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**VERSION WITH MARKINGS SHOWING CHANGES MADE****In the Title:**

Please delete the title "METHOD FOR FORMING AN AUTOMOTIVE VEHICLE WEATHERSEAL HAVING A METAL SUBSTRATE WITH BONDED ELASTOMERIC LAYER" and insert instead --AUTOMOTIVE VEHICLE WEATHERSEAL HAVING A METAL SUBSTRATE WITH BONDED ELASTOMERIC LAYER--.

**In the Claims:**

Please enter the amended claims as follows:

Claims 20-62. Cancelled

63. (New) A weatherseal for an automotive vehicle, the weatherseal having a metal reinforcement, the weatherseal comprising:

(a) an uncured peroxide curable rubber layer on the metal reinforcement, the uncured peroxide curable rubber layer including one of a polybutadiene and a (meth)acrylate; and

(b) an uncured sulfur curable rubber layer on at least a portion of the uncured peroxide curable rubber layer.

64. (New) The weatherseal of Claim 63, wherein the uncured sulfur curable rubber is EPDM or EPM.

65. (New) The weatherseal of Claim 63, wherein the uncured peroxide curable rubber layer includes an insulator to reduce galvanic corrosion of the metal reinforcement.

66. (New) The weatherseal of Claim 63, wherein the uncured peroxide curable rubber layer includes a polybutadiene.

67. (New) The weatherseal of Claim 63, wherein the uncured peroxide curable rubber layer includes (meth)acrylate.

68. (New) The weatherseal of Claim 63, wherein the uncured peroxide curable rubber layer includes both a polybutadiene and a (meth)acrylate.

69. (New) The weatherseal of Claim 63, wherein the uncured peroxide curable rubber layer directly contacts the metal reinforcement.

70. (New) The weatherseal of Claim 63, wherein the uncured sulfur curable rubber layer directly contacts the uncured peroxide curable rubber layer.

71. (New) The weatherseal of Claim 63, wherein the uncured sulfur curable rubber layer encapsulates the uncured peroxide curable rubber layer.

72. (New) The weatherseal of Claim 63, wherein the uncured peroxide curable rubber layer encapsulates the metal reinforcement.

73. (New) The weatherseal of Claim 63, wherein the uncured peroxide curable rubber layer includes maleinated polybutadiene.

74. (New) An automotive vehicle weatherseal, comprising:

- (a) a metal reinforcement;
- (b) an uncured peroxide curable bonding veneer bonded to at least a portion of the metal reinforcement; and
- (c) an uncured sulfur curable rubber layer on at least a portion of the uncured peroxide curable bonding veneer.

75. (New) The automotive vehicle weatherseal of Claim 74, wherein the uncured peroxide curable bonding veneer includes a polybutadiene.

76. (New) The automotive vehicle weatherseal of Claim 74, wherein the uncured peroxide curable bonding veneer includes (meth)acrylate.

77. (New) The automotive vehicle weatherseal of Claim 74, wherein the uncured peroxide curable bonding veneer includes a polybutadiene and a (meth)acrylate.

78. (New) The automotive vehicle weatherseal of Claim 74, further comprising a insulating filler in the uncured peroxide curable bonding veneer.

79. (New) The automotive vehicle weatherseal of Claim 74, wherein the metal reinforcement is one of a steel, stainless steel, aluminum or a galvanized steel.

80. (New) The automotive vehicle weatherseal of Claim 74, wherein the uncured sulfur curable layer includes one of EPDM or EPM.

81. (New) The automotive vehicle weatherseal of Claim 74, wherein the uncured peroxide curable bonding veneer directly contacts the metal reinforcement.

82. (New) The automotive vehicle weatherseal of Claim 74, wherein the uncured sulfur curable rubber layer directly contacts the uncured peroxide curable bonding veneer.

83. (New) The automotive vehicle weatherseal of Claim 74, wherein the uncured sulfur curable rubber layer encapsulates the uncured peroxide curable bonding veneer.

84. (New) The automotive vehicle weatherseal of Claim 74, wherein the uncured peroxide curable bonding veneer encapsulates the metal reinforcement.

85. (New) The automotive vehicle weatherseal of Claim 74, wherein the uncured peroxide curable bonding veneer includes maleinated polybutadiene.

86. (New) An automotive vehicle weatherseal, comprising:

- (a) a metal reinforcement;
- (b) an uncured peroxide curable bonding veneer bonded to at least a portion of the metal reinforcement; and
- (c) an uncured non-peroxide cross linkable elastomer layer on at least a portion of the uncured peroxide curable bonding veneer.

87. (New) The automotive vehicle weatherseal of Claim 86, wherein the uncured peroxide curable bonding veneer includes a polybutadiene.

88. (New) The automotive vehicle weatherseal of Claim 86, wherein the uncured peroxide curable bonding veneer includes (meth)acrylate.

89. (New) The automotive vehicle weatherseal of Claim 86, wherein the uncured peroxide curable bonding veneer includes a polybutadiene and a (meth)acrylate.

90. (New) The automotive vehicle weatherseal of Claim 86, further comprising a insulating filler in the uncured peroxide curable bonding veneer.

91. (New) The automotive vehicle weatherseal of Claim 86, wherein the metal reinforcement is one of a steel, stainless steel, aluminum or a galvanized steel.

92. (New) The automotive vehicle weatherseal of Claim 86, wherein the uncured non-peroxide cross linkable elastomer layer includes one of EPDM or EPM.

93. (New) The automotive vehicle weatherseal of Claim 86, wherein the uncured peroxide curable bonding veneer directly contacts the metal reinforcement.

94. (New) The automotive vehicle weatherseal of Claim 86, wherein the uncured non-peroxide cross linkable elastomer layer directly contacts the uncured peroxide curable bonding veneer.

95. (New) The automotive vehicle weatherseal of Claim 86, wherein the uncured non-peroxide cross linkable elastomer layer encapsulates the uncured peroxide curable bonding veneer.

96. (New) The automotive vehicle weatherseal of Claim 86, wherein the uncured peroxide curable bonding veneer encapsulates the metal reinforcement.

97. (New) The automotive vehicle weatherseal of Claim 86, wherein the uncured peroxide curable bonding veneer includes maleinated polybutadiene.